

ELWIN A. SCUTT.

JANUARY 27, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. THOMAS, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 6239.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6239) to increase the pension of Elwin A. Scutt, having carefully considered the facts in the case, respectfully report:

Claimant enlisted August 31, 1862, and was discharged on certificate of disability February 26, 1864; reenlisted August 29, 1864, and was honorably discharged July 7, 1865. He served in Company I, One hundred and fifty-first New York Infantry; Company E, Sixty-fourth New York Infantry, and Company I, First Veteran Reserve Corps, and is now drawing \$8 per month under the general law for gunshot wound of right foot, incurred in the line of duty.

February 4, 1882, the soldier applied for additional pension on account of injury to right shoulder and left hip, alleged to have been received in front of Petersburg. He states that he received medical treatment for this injury in November and December, 1864, and the records of the War Department show that he was in hospital from the 10th to the 15th of November and on or about December 2 of that year, but no diagnosis of the case is given. An affidavit by three neighbors, dated October 31, 1883, shows that claimant was then, and had been for eight or ten years prior thereto, suffering from injury to shoulder and hip. There is no question as to his prior soundness. The claim was rejected, however, because origin of the disability was not satisfactorily proved.

The last certificate from the examining board gives him the following rating:

Gunshot wound of right foot, twelve-eighteenths; injury to right shoulder, four-eighteenths; injury to left hip, four-eighteenths.

Your committee believe that the doubt in this case should be resolved in favor of the soldier, and we therefore respectfully recommend the passage of the bill, with the following amendments:

In line 5 strike out "regulations" and insert "limitations."

In line 6, after the word "late," insert "a private in."

In lines 7 and 8 strike out "at the rate of thirty" and insert in lieu thereof "and pay him a pension of twenty-four."